V. REMARKS

Claim 1 is provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/697,249. The rejection is respectfully traversed.

In determining double patenting, the issue is whether any claim of the application defines merely an obvious variation of an invention **claimed** in the earlier patent or application. It does not prohibit a later claiming of subject matter that is disclosed but not claimed in the earlier patent or application. Double patenting is concerned with attempts to "claim" related subject matter twice. In re Gibbs, 437 F.2d 486, 168 USPQ 578 (CCPA 1971).

It is respectfully submitted that the rejection be withdrawn because the claim 1of the instant application do not claim related subject matter twice.

Withdrawal of the rejection is respectfully requested.

Claims 1, 3, 4 and 7 are rejected under 35 U.S.C. 103(a) as unpatentable over Loose et al. (U.S. Patent No. 6,517,433) and further in view of Griswold et al. (U.S. Patent No. 6,027,115). The rejection is respectfully traversed.

It is respectfully submitted that the Examiner incorrectly understands the Loose disclosure.

The features in claim 1 are: a game result display device; a beneficial state generating device; the first wherein clause; the second wherein clause (except for an illumination device); and the third wherein clause have been known from Loose

Also, an illumination device in the second wherein clause is known from Griswold(US6,027,115) or the other prior arts.

The fourth wherein clause of claim 1 claims a technique of, when a display mode of a window frame display area is changed, making the symbols on a reel invisible by

turning off an illumination device arranged within the reel and setting a light transmittance rate of a symbol display area of an LCD low.

In this regard, the Examiner indicates that Loose discloses the feature "wherein the display mode of the window frame display area is changed so that the display device is adapted so that if the display is necessary to be displayed through the light transmittance rate of the second display may be made **low** to allow the first display device symbols to show through.", based on the description of col. 5: In 30-42.

However, in Loose, the display mode of the window frame area is changed when winning a winning combination. In this time, among the symbol display areas of the LCD, in the symbol display areas not contributing to completion of a winning combination finally, the light transmittance rate thereof is made high so as to display the symbols on the reels disposed behind the LCD. At the same time, any lamps for illuminating the reels are turned on (see Fig. 6).

As stated above, it is general that the lamps are turned on and the light transmittance rate of the symbol display area of the LCD is made **high** so as to make the symbols on the reels highly visible. Therefore, the feature of the fourth wherein clause in claim 1 is contrary to the feature identified by the Examiner based on Loose (the feature that: the light transmittance rate is made low to allow the first display device symbols to show through).

Claim 7 is canceled and, as a result, the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

Claim 6 is rejected under 35 U.S.C. 103(a) as unpatentable over Loose et al. and Griswold and further in view of Jaffe. The rejection is respectfully traversed.

Claim 6, as amended, is directed to a gaming machine that includes a game result display device for displaying a game result thereon and a beneficial state generating device for generating a beneficial state for a player when a predetermined

game result is displayed on the game result display device. Claim 6 recites that the game result display device includes a first display device and a second display device arranged in front of a display area of the first display device when seen from a front side of the gaming machine and the first display device includes at least one symbol display part capable of variably displaying one or more symbols and conducting stop display thereof. Also, claim 6 recites that the second display device has at least one symbol display area corresponding to the at least one symbol display part through which the symbols displayed on the first display device are transmittably displayed and at least one window frame display area formed around the at least one symbol display area in the second display device. Furthermore, claim 6 recites that the at least one window frame display area has a first display mode and a second display mode visually different from the first display mode and the at least one window frame area changes from the first display mode to the second display mode when the beneficial state generating device generates the beneficial state for the player with the first display mode depicted only as a frame structure and the second display mode being a moving image superimposed on and moving along the frame structure.

It is respectfully submitted that none of the applied art, alone or in combination, teaches or suggest the features of claim 6 as amended. Specifically, it is respectfully submitted that none of the applied art, alone or in combination, teaches or suggest that the at least one window frame display area has a first display mode and a second display mode visually different from the first display mode and the at least one window frame area changes from the first display mode to the second display mode when the beneficial state generating device generates the beneficial state for the player with the first display mode depicted only as a frame structure and the second display mode being a moving image superimposed on and moving along the frame structure. Thus, one of ordinary skill in the art would not be motivated to combine the features of the applied art because such combination would not result in the claimed invention. As a result, it is respectfully submitted that claim 6 is allowable over the applied art.

Withdrawal of the rejection is respectfully requested.

Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to submit those other reasons and to argue for the patentability of claims not explicitly addressed herein in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: August 13, 2007

By: _____
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Petition for Extension of Time (3 months)

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